



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/786,527

03/05/2001

Norbert Lobig

P010088

1420

26371

7590

06/16/2006

FOLEY & LARDNER LLP
777 EAST WISCONSIN AVENUE
SUITE 3800
MILWAUKEE, WI 53202-5308

EXAMINER

TANG, KAREN C

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/786,527	Applicant(s) LOBIG, NORBERT	
	Examiner Karen C. Tang	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-29,31-37,39 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-29,31-37,39 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/3/06 has been entered.
- Claims 23-29, 31-37, 39-40 are presented for further examination.
- Withdrawn 112 2nd rejection – Examiner concurred with applicant's remarks on page 8 of the response which indicated that "In response, the Applicant directs the Examiner's attention to the specification page 4, lines 6-18 and page 11, lines 3-24 and specifically lines 15-23. In each of the cited passages, the specification states that non-accessibility of the relevant subscriber station is in this case reduced only to the short period of switching from the first telecommunications network to the second telecommunications network. That is to say the relevant subscriber station is accessible virtually all of the time, without any interruption, and can itself always set up connections". Such cited language in the specification supports the phrase identified by the Examiner in the claims. Accordingly, the Applicant believes that he has particularly pointed out and distinctly claimed the subject matter which they regard as the invention."

Claim Rejections - 35 USC § 102

Art Unit: 2151

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 23-29, 31-37, 39-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Emery et al (US 5,758,281) hereinafter Emery.

1) Referring to claim 23 and 32, Emery discloses:

A first telecommunication network: Examiner interprets the first telecommunication network (22, Fig 2); A local exchange (VLR at 22, Fig 2); A second telecommunication network (26, Fig 2, Col 15, Lines 20-35); A second local exchange (VLR at 26, Fig 2);

A subscriber (cell user, refer to Col 4, Lines 60-67);

Said first telecommunication network being connected to said second telecommunication network via a connection point (31, STP, Fig 2), wherein the two telecommunication networks are interconnected (Fig 2, Col 13, Lines 1-15).

Said subscriber station involved in a change between telecommunications network (refer to Col 4, Lines 45-67), Said subscriber station initially connected to said first telecommunications network (inherently that the subscriber is initially connected to first network to enable a switch to another network).

Said primary routing information (current location, refer to Col 5, Lines 1-22) pertaining to said subscriber station (while in the first network, the user is inherently registered with its routing information with the network)

Art Unit: 2151

Said primary routing information being contained in the first and second telecommunication network (refer to Col 5, Lines 23-45).

Said primary routing information for defining a connection set up from the respective telecommunications network to the first local exchange (refer to Col 5, Lines 1-22).

Storing the secondary routing information in the first local exchange (current location, refer to Col 5, Lines 1-22).

Secondary routing information for defining a further connection setup, for the subscriber station to the secondary telecommunications network via the connection point provided that the subscriber station is not present (refer to Col 5, Lines 22-45).

Changing the primary routing information the second telecommunications network such that connections from the second communication network to the subscriber station are being set up to the second local exchange (refer to Col 5, Lines 23-67).

Disconnecting the subscriber station from the first local exchange (refer to Col 5, Lines 45-67).

Connecting the subscriber station to the second local exchange (refer to Col 5, Lines 23-45).

the subscriber station is accessible virtually all the time (while on wireless, it is inherent that the subscriber station is accessible virtually all the time).

2) Referring to claim 24, Emery discloses changing the primary routing information in the second telecommunications network such that connections from the second communications network to the subscriber station are being set up to the second local exchange (refer to Col 5, Lines 20-45 and Fig 4).

Art Unit: 2151

3) Referring to claim 26, Emery discloses activating the secondary routing information in the first local exchange upon a fault occurring on an access line of the subscriber station while disconnecting the subscriber station, said secondary routing information relating to the subscriber station (refer to Col 5, Lines 20-67).

4) Referring to claim 27 and 35, Emery discloses changing the primary routing information in the first communications network after disconnecting the subscriber station from the first local station, so that communication requests originating from the first telecommunications network to the subscriber station are passed from the first telecommunications network to the second telecommunications network via the connection point (Col 5, Lines 20-67 and Fig 2 and Col 6, Lines 8-17).

5) Referring to claim 28, Emery discloses deleting the secondary routing information in the first local exchange – said secondary routing information relating to the subscriber station (refer to Col 5, Lines 45-67).

6) Referring to claim 29, Emery discloses the network deleting details from the first local exchange, said details relating to a relevant subscriber station being previously connected to the first telecommunications network (refer to Col 5).

Art Unit: 2151

7) Referring to claim 31 and 39, Emery discloses a carrier signal for a duration of the subscriber switching, said the signal being monitored by the first local exchange in order to identify a line fault on a(n) digital lines (refer to Col 5, Lines 40-67).

8) Referring to claims 25 and 33, Emery discloses details that provide information to the subscriber station in a course of a connection request with storage of the secondary routing information in the secondary local exchange if the subscriber station is still being connected to the first local exchange, then, carrying out the further connection setup via the second local exchange (refer to Col 5, Lines 20-67).

Emery further disclose if the subscriber station is no longer connected to the second local exchange, then, carrying out the further connection setup via an associated secondary routing information (refer to Col 5, Lines 20-67).

9) Referring to claim 34, Emery discloses deactivating the secondary routing information relating to the subscriber station in the second local exchange, upon a fault end signal occurring on an access line of the subscriber station while disconnecting the subscriber station (refer to Col 5, Lines 45-67).

10) Referring to claim 36, Emery discloses the network deleting details from the second local exchange (refer to Col 5, Lines 40-67).

Art Unit: 2151

11) Referring to claim 37, Emery discloses by change a part of the details, it indicate a connection of the subscriber station to the second local exchange (refer to Col 5, Lines 40-67).

12) Referring to claim 40, Emery discloses storing and making available the primary and secondary routing information by utilizing at least one of a local operation at an exchange level and a central operation in a network (Col 5, Lines 20-67).

Response to Arguments

Applicant's arguments filed 5/3/06 have been fully considered but they are not persuasive.

Applicant indicates that the Examiner's characterization of Emery. As best understood, Emery makes it possible for a subscriber (mobile) to change his location without losing his services. However, Emery discloses and teaches that the subscriber in the Emery system remains bound to his own network. In other words, the home location register (HLR) remains the same. (See Emerv col. 19, 11. 36-51 and col. 26, 11. 57-60). Thus a method in which the subscriber station is disconnected from the first local exchange in connecting the subscriber station to the second local exchange, wherein the subscriber station is accessible virtually all of the time as required by independent claims 23 and 32, as amended, is not disclosed, taught or suggested by Emery.

Examiner respectfully traversed the rejection – It is indicated on the last office action that the location action is mapped the same as the VLR rather than HLR on the Emery's reference. Thus, the "location exchange" is no longer the same when the user switch over the network, therefore, Emery taught "a method in which the subscriber station is disconnected from the first

Art Unit: 2151

local exchange in connecting the subscriber station to the second local exchange, wherein the subscriber station is accessible virtually all of the time”.

Conclusion

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER